

CITY OF EL MONTE

City Clerk LORENE GUTIERREZ

Chief Deputy City Clerk/ Records Manager M. HELEN LOPEZ, CMC

CITY CLERK'S OFFICE

June 16, 2011

ADOPTED

BOARD OF SUPERVISORS COUNTY OF LOS ANGELES

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JULY 5, 2011

Sachi a. Hamai SACHI A. HAMAI EXECUTIVE OFFICER

Ms. Sachi A. Hamai, Executive Officer Board of Supervisors, County of Los Angeles Kenneth Hahn Hall of Administration 500 West Temple Street, Room 383 Los Angeles, California 90012

(213) 974-1411 Fax: (213) 620-0636

Dear Ms. Sachi A. Hamai:

Enclosed is a certified copy of the following resolutions, which were adopted at a regular meeting of the El Monte City Council, held on June 7, 2011.

- Resolution No. 9189, Adopting Regulation Relating to Candidate Statements for Candidates for Elective Office to be Elected by the Voters at the Consolidated General Municipal Election to be held on Tuesday, November 8, 2011.
- 2. Resolution No. **9190**, Requesting that the Board of Supervisors for the County of Los Angeles Approve Consolidation of an El Monte General Municipal Election to be held on Tuesday, **November 8, 2011**, with the County Administered Uniform District Election Law Election ("UDEL Election") of the same day.
- 3. Resolution No. 9191, Requesting the Board of Supervisors of the County of Los Angeles and the Registrar-Recorder / County Clerk for the County of Los Angeles to Render Specific Services and Consolidated Election Services to the City Relating to the Conduct of the City's General Municipal Election of Tuesday, November 8, 2011. Which is to be consolidated with the County-Administered Uniform District Election Law Election of the same date.
- 4. Resolution No. 9192, Calling and Giving Notice of the Holding of a Consolidated General Municipal Election to be Conducted on Tuesday, November 8, 2011, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Pertaining to General Law Cities.

If you have any questions or need additional information, please do not hesitate to contact this office at (626) 580-2020 during normal business hours, Monday through Thursday, between the hours of 7:00 a.m. to 5:30 p.m.

Sincerely,

LORENE GUTIERREZ

CITY CLERK

M. Helen Mireles, CMC

Chief Deputy City Clerk/Records Manager

Cc: Mr. Dean C. Logan

Registrar-Recorder/County Clerk

Election Planning and Coordination Section 12400 E. Imperial Hwy, 2rd Floor, Room 2015

Norwalk, California 90650

Phone: (562) 462-2317 Fax: (562) 466-6025

Mr. Francis Guijro / Ms. Maria Alfonso Election Planning and Coordination Section 12400 E. Imperial Highway, 2nd Floor, Room 2015 Norwalk, California 90650

Phone: (562) 462-2318 Fax: (562) 466-6025



I, M. HELEN MIRELES, CMC, Chief Deputy City Clerk/Records Manager of the City of El Monte, California, do hereby certify this to be a true and correct copy of Resolution No. 9189, approved and adopted at the regular City Council meeting of June 7, 2011.

M. Helen Mireles, CMC Chief Deputy City Clerk/

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, ADOPTING REGULATIONS RELATING TO CANDIDATE STATEMENTS FOR CANDIDATES FOR ELECTIVE OFFICE TO BE ELECTED BY THE VOTERS AT THE CONSOLIDATED GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2011

WHEREAS, the El Monte City Council on July 6, 2004 passed and approved Ordinance No. 2616 which moved the date of the City's General Municipal Election to the first Tuesday following the first Monday in November of odd-numbered years; and

WHEREAS, the El Monte City Council passed and approved Resolution No. <u>9189</u> requesting that the Board of Supervisors for the County of Los Angeles (the "Board of Supervisors") approve the consolidation of the City's General Municipal Election with the County-administered Uniform District Election Law Election (the "UDEL Election") which is also held on the first Tuesday following the first Monday in November of odd-numbered years; and

WHEREAS, Elections Code Section 13307 provides that the governing body of any local agency may adopt regulations pertaining to the recovery of certain costs associated with the printing, handling, translation and mailing of candidate statements as filed with the elections office pursuant to Elections Code Section 13307 materials prepared by any candidate for an office to be elected at a General Municipal Election, including costs of the candidate statement; and

WHEREAS, the City Council approves the printing of the General Municipal Election information for the election to be held on Tuesday, November 8, 2011, in English, Spanish, Chinese and Vietnamese languages to satisfy the requirements of the Voting Rights Act of 1965; and

WHEREAS, the City Council approved the publication of the Notice of Election to be published in the English, Spanish, Chinese and Vietnamese languages.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an election to be held in the City of El Monte on Tuesday, November 8, 2011, may prepare a candidate statement on an appropriate form provided by the City Clerk.

Pursuant to §13307(a)(1) of the California Elections Code, the candidate statements may include the following:

- (a) The name, age and occupation of the candidate; and
- (b) A brief description of no more than 200 words of the candidate's education and qualification as expressed by the candidate himself or herself.

Pursuant to §13307(a)(1) of the California Elections Code, the candidate statement shall not include the following:

- (a) The party affiliation of the candidate; or
- (b) References to membership or activity in partisan political organizations.

All prospective candidates should be aware of the holding in <u>Dean v. Superior Court</u> (1998) 62 Cal.App.4th 638 which holds that a statement prepared by a candidate for inclusion in the voters' pamphlet <u>MAY NOT</u> include comments or statements concerning the qualifications (or alleged lack qualifications) of one's opponents. Candidates, in an abundance of caution, should avoid making any reference to opponents in their candidate statements. Candidates should seek the advice of private legal counsel if unsure as to whether their candidate statement does or does not comply with applicable law before filing.

The candidate statement shall be filed in type written form at the Office of the City Clerk at the time the candidate's nomination papers are filed. The candidate statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2. OFFICE OF MAYOR: Each candidate to fill the Office of Mayor for the term to be voted for at the consolidated General Municipal Election to be held in the City of El Monte on Tuesday, November 8, 2011, may prepare and submit to the office of the City Clerk a written candidate statement on an appropriate form provided by the City Clerk in accordance with Elections Code Section 13307 and the office Registrar-Recorder/County Clerk for the County of Los Angeles (hereinafter, the "County Clerk"). The candidate statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are returned for filing for the consolidated General Municipal Election to be held on Tuesday, November 8, 2011. The candidate statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period for the Office of the Mayor.

SECTION 3. MEMBER OF CITY COUNCIL: Each candidate to fill the Office of Member of the City Council for the term to be voted for at the consolidated General Municipal Election to be held in the City of El Monte on Tuesday, November 8, 2011, may prepare and submit to the office of the City Clerk a written candidate statement on an appropriate form provided by the City Clerk in accordance with Elections Code Section 13307 and the office of the County Clerk. The candidate statement shall be filed in the office of the City Clerk at the time the candidate nomination papers are returned for filing for the consolidated General Municipal Election to be held on Tuesday, November 8, 2011. The candidate statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period for the Office of the City Council Member.

SECTION 4. . Subject to any logistical constraints imposed by the County Clerk by virtue of consolidation, the City Clerk shall have translated (from the English to the Spanish, Chinese and Vietnamese languages) and printed in the voters pamphlet only the candidate statement of those candidates who request such translation and printing at the time of filing of the candidate statement.

SECTION 5. No candidate for any elected office of the City shall be permitted to include additional materials in the voters' pamphlet and sample ballot package.

SECTION 6. Each candidate for any of the offices to be elected at the consolidated General Municipal Election to be conducted on November 8, 2011, who files a candidate statement of qualifications shall as a condition of having his or her candidate statement included in the voter's pamphlet, concurrently deposit with the City Clerk, an amount as reasonably estimated by the City Clerk to pay in advance his or her estimated pro rata share of the actual costs of printing and handling such candidate statement incurred by the City and/or the County Clerk as a result of providing such service at the time of filing such statement with the City Clerk, provided however, that the amount of the deposit shall be no more than \$1,800.00. The receipt for the payment for the deposit to the City Clerk shall include a written notice that the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate for the consolidated General Municipal Election to be conducted on November 8, 2011, depending on the actual number of candidates filing candidate statements for each particular office. Accordingly, the City Clerk is not bound by the estimate and may, on a pro rata basis, bill each candidate for each particular office for additional actual expense or refund any excess payment depending on the final actual cost, provided however, that the final actual cost billed to any candidate for his or her pro rata

costs shall not exceed the sum of \$1,800.00. In the event that the amount paid as a deposit by a candidate includes an overpayment of actual costs incurred by the City and/or County Clerk, the City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days following the date of the election.

SECTION 7. The City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 8. This Resolution shall apply only to the election to be held on Tuesday, November 8, 2011, and shall thereafter have no further force or effect.

SECTION 9. The City Clerk shall certify to the passage and adoption of this Resolution. This Resolution shall take effect upon adoption.

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PASSED, APP	ROVED AND ADOPTED this	7th	day of	June	, 2011.
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ATTEST:	
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Lorene Gutierre	Z 2
City Clerk of the	e City of El Monte

STATE OF CALIFORNIA)	
COUNTY OF LOS ANGELES)	SS:
CITY OF EL MONTE)	

I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Resolution No. 9189 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 7th day of June _____, 2011 and that said resolution was adopted by the following vote, to-wit:

AYES: Mayor

Mayor Quintero, Mayor Pro-Tem Wallach, Councilman Gomez and

Councilwoman Ishigaki

NOES:

None

ABSENT: Councilwoman Macias

Lorene Gutierrez

City Clerk of the City of El Monte



I, M. HELEN MIRELES, CMC, Chief Deputy City Clerk/Records Manager of the City of El Monte, California, do hereby certify this to be a true and correct copy of Resolution No. 9190, approved and adopted at the regular City Council meeting of June 7, 2011.

M. Helen Mireles, CMC Chief Deputy City Clerk/

A RESOLUTION OF THE EL MONTE CITY COUNCIL REQUESTING THAT THE BOARD OF SUPERVISORS FOR THE COUNTY OF LOS ANGELES APPROVE CONSOLIDATION OF AN EL MONTE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2011 WITH THE COUNTY-ADMINISTERED UNIFORM DISTRICT ELECTION LAW ELECTION ("UDEL ELECTION") OF THE SAME DAY

WHEREAS, on July 6, 2004 the El Monte City Council ("City Council") passed and approved Ordinance No. 2616 which moved the date of the City's General Municipal Election to the first Tuesday following the first Monday in the month of November of each odd-numbered year; and

WHEREAS, the City Council at its regular meeting of June 7th 2011 approved Resolution No. 9190 calling its next General Municipal Election to be held November 8, 2011; and

WHEREAS, it is desirable that the November 8, 2011 El Monte General Municipal Election be consolidated with the County-administered Uniform District Election Law Election ("UDEL Election") of the same date and that within the City of El Monte the precincts, polling stations and election officers of the two elections be the same, and that the Office of the Registrar-Recorder/County Clerk of the County of Los Angeles canvass the returns of said El Monte General Municipal Election and that said election be held in all respects as if it were part and parcel of the County-administered UDEL Election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the California Elections Code, it is respectfully requested that the Board of Supervisors of the County of Los Angeles (the "Board of Supervisors") consent and agree to the consolidation of the City of El Monte's November 11, 2011 General Municipal Election with the County-administered UDEL Election of the same date.

SECTION 2. The El Monte General Municipal Election shall be for the purpose of conducting the election of a Mayor and two members of the City Council.

SECTION 3. That it is also respectfully requested that the Board of Supervisors authorize and direct the Office of the Registrar-Recorder/County Clerk of the County of Los Angeles (the "County Registrar") to canvass the returns of the consolidated El Monte Special Municipal Election and that said election be held in all respects as if it were part and parcel of the County-administered UDEL Election of the same date.

SECTION 4. That it is further respectfully requested that the Board of Supervisors authorize and direct the County Registrar to:

- a) Print and supply ballots for the El Monte General Municipal Election;
- b) Mail the City's sample ballots and candidate's statements of qualifications to the registered voters in the City of El Monte.

SECTION 5. It is also respectfully requested that the Board of Supervisors issue instructions to the County Registrar to take any and all additional steps necessary for the holding of the consolidate election requested above.

SECTION 6. That the City Council, recognizing that additional costs may be incurred by the County of Los Angeles by reason of consolidation, agrees to reimburse the County for any such costs.

SECTION 7. That the El Monte City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Clerk along with a certified copy of the resolution calling the November 8, 2011 General Municipal Election.

SECTION 8. That the El Monte City Clerk shall certify to the passage and adoption of this Resolution No. 9190 and enter it into the book of original resolution.

PASSED, APPROVED AND ADOPTED ON this __7th___ day of

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ATTEST:			
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STATE OF	CALIFORNIA)		
	OF LOS ANGELES) SS:		
CITY OF E	L MONTE)		
foregoing R the City of	Sutierrez, City Clerk of the City of El M Resolution No. <u>9190</u> was passed and add El Monte, signed by the Mayor and atte eeting of said Council held on th	opted by the City Cou ested by the City Cle	ncil of
June	, 2011 and that said resolution was ac	lopted by the followin	g vote,
to-wit:			
AYES:	Mayor Quintero, Mayor Pro-Tem Wa Councilwoman Ishigaki	llach, Councilman	Gomez and
NOES:	None		
ABSENT:	Councilwoman Macias		
Loson	a Gutione		

Lorene Gutierrez

City Clerk of the City of El Monte



I, M. HELEN MIRELES, CMC, Chief Deputy City Clerk/Records Manager of the City of El Monte, California, do hereby certify this to be a true and correct copy of Resolution No. 9191, approved and adopted at the regular City Council meeting of June 7, 2011.

M. Helen Mireles, CMC Chief Deputy City Clerk/

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AND THE REGISTRAR-RECORDER/COUNTY CLERK FOR THE COUNTY OF LOS ANGELES TO RENDER SPECIFIC SERVICES AND CONSOLIDATED ELECTION SERVICES TO THE CITY RELATING TO THE CONDUCT OF THE CITY'S GENERAL MUNICIPAL ELECTION OF TUESDAY, NOVEMBER 8, 2011 WHICH IS TO BE CONSOLIDATED WITH THE COUNTY-ADMINISTERED UNIFORM DISTRICT ELECTION LAW ELECTION OF THE SAME DATE

WHEREAS, a General Municipal Election is to be held in the City of El Monte, California (hereinafter, the "City"), on Tuesday, November 8, 2011; and

WHEREAS, the El Monte City Council passed and approved Resolution No. 9191 requesting that the Board of Supervisors for the County of Los Angeles (the "Board of Supervisors") approve the consolidation of the City's General Municipal Election with the County-administered UDEL Election to be held Tuesday, November 8, 2011 (hereinafter, the "UDEL Election"); and

WHEREAS, all necessary expenses incurred by the County in performing these services shall be compensated by the City.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby requests that the Registrar-Recorder/County Clerk for the County of Los Angeles (hereinafter, the "County Clerk"), in cooperation with the City, be authorized and directed to plan for, coordinate and administer the General Municipal Election of the City to be held on Tuesday, November 8, 2011 as part of the County's overall planning, coordination and administration of the UDEL Election to be held on the same date.

In connection with the City's consolidated November 8, 2011 SECTION 2. General Municipal Election, the City Council further requests that the County Clerk be authorized and directed to (a) review and verify absentee voter applications and signatures; and (b) conduct registered voter verifications (including signature verifications) associated with the processing of any proposed General Municipal Election ballot measure; (c) provide the City with the appropriate election precinct data, to the extent required, in light of consolidation; (d) make available to the City such election facilities, ballot casting equipment and assistance as may be necessary to conduct the election in compliance with state law; (e) canvass the election returns; (f) print and supply ballots for the election; (g) mail the City's sample ballots, including ballot measure questions, arguments, rebuttals and impartial analyses; and (h) administer the City's consolidated General Municipal Election in all respects as if it were part and parcel of the County-administered Statewide Special Municipal of the same date, implementing all such legally required or customarily employed measures and practices as may be necessary to conduct the election in a timely and legally compliant manner.

SECTION 3. The City shall reimburse the County for any additional costs associated with the consolidation of the City's November 8, 2011 General Municipal election with the County-administered UDEL Election of the same date.

SECTION 4. The City Clerk is authorized and directed to forward without delay to the Board of Supervisors and to the County Clerk, each a certified copy of this Resolution.

SECTION 5. The City Clerk shall certify to the passage and adoption of this Resolution. This Resolution shall take effect upon adoption.

PASSED, APPROVED AND ADOPTED this 7th day of June Mayor of the City of El Monte ATTEST: Dutienez Lorene Gutierrez City Clerk STATE OF CALIFORNIA SS: COUNTY OF LOS ANGELES CITY OF EL MONTE I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Resolution No. 9191 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 7th day of June, 2011 and that said resolution was adopted by the following vote, to-wit:

AYES:

Maor Qintero, Mayor Pro-Tem Wallach, Couniclman Gomez and

Councilwoman Ishigaki

NOES:

None

ABSENT: Councilwoman Macias

Lorene Gutierrez

City Clerk



I, M. HELEN MIRELES, CMC, Chief Deputy City Clerk/Records Manager of the City of El Monte, California, do hereby certify this to be a true and correct copy of Resolution No. 9192, approved and adopted at the regular City Council meeting of June 7, 2011.

M. Helen Mireles, CMC

Chief Deputy City Clerk/

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA CALLING AND GIVING NOTICE OF THE HOLDING OF A CONSOLIDATED GENERAL MUNICIPAL ELECTION TO BE CONDUCTED ON TUESDAY, NOVEMBER 8, 2011, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA PERTAINING TO GENERAL LAW CITIES

WHEREAS, under the provision of the laws relating to general law cities in the State of California, a General Municipal Election of the City of El Monte ("City") may be conducted on November 6, 2007, for the election of the following municipal officers:

- (A) Mayor; and
- (B) Member of the City Council two (2) offices.

WHEREAS, the El Monte City Council on July 6, 2004 passed and approved Ordinance No. 2616 which moved the date of the City's General Municipal Election to the first Tuesday following the first Monday in November of odd-numbered years.

WHEREAS, the El Monte City Council at its regular meeting of June 7th 2011 passed and approved Resolution No. 9192 requesting that the Board of Supervisors for the County of Los Angeles (the "Board of Supervisors") approve the consolidation of the City's General Municipal Election with the County-administered Uniform District Election Law Election (the "UDEL Election") which is also held on the first Tuesday following the first Monday in November of odd-numbered years.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to the election laws of the State of California relating to general law cities, the City Council hereby calls and orders a General Municipal Election to be held in the City of El Monte, California, on Tuesday November 8, 2011, for the purpose of electing:

- (i) One (1) Mayor for a full term of two (2) years; and
- (ii) Two (2) members of the City Council, each for the full term of four (4) years.

SECTION 2. The form of the ballots to be used at the General Municipal Election for the municipal offices as called and ordered in Section 1 of this Resolution, shall be in form and contents as required by law or as otherwise required or directed by the Registrar-Recorder for the County of Los Angeles (hereinafter, the "County Clerk") to facilitate the consolidation of the City's November 8 2011 General Municipal Election with the County-administered UDEL Election of the same date.

SECTION 3. Except as otherwise required or directed by the County Clerk to facilitate the consolidation of the City's November 6, 2007 General Municipal Election with the County-administered UDEL Election of the same date, the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the General Municipal Election as hereby called and ordered in Section 1 of this Resolution.

SECTION 4: The polls for the General Municipal Election as ordered and called in Section 1 of this Resolution shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when polls shall be closed, except as otherwise directed by the County Clerk pursuant to state law.

SECTION 5: In all particulars not otherwise specifically provided in this Resolution, the General Municipal Election shall be held and conducted as provided by law for holding

General Municipal Elections and elections consolidated with the County-administered UDEL Election.

SECTION 6: Any compensation afforded to precinct board members and other poll workers pursuant to Elections Code §12310 shall be in keeping with the rates set forth by the County Clerk and/or the Board of Supervisors, if any.

SECTION 7: This Resolution shall conclusively provide evidence that notice of the time and place of holding the consolidated General Municipal Election for Tuesday, November8, 2011 has been given by the City Council and the City Clerk is hereby authorized and directed to give further additional public notice of the calling of the consolidated General Municipal Election of the City of El Monte for Tuesday, November 8, 2011 (including the publication of such notice printed in **English**, **Spanish**, **Chinese**, and **Vietnamese** languages) in time, form and manner as required by law or as otherwise directed by the County Clerk.

SECTION 8: The City Clerk shall certify to the passage and adoption of this Resolution No. 9192 and enter it into the book of original Resolutions of the City.

PASSED, APPROVED AND ADOPTED this _7th __day of _____, 2011.

Andre Ouintero

Mayor of the City of El Monte

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STATE OF CALIFORNIA)	
COUNTY OF LOS ANGELES)	SS
CITY OF EL MONTE)	

I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Resolution No. 9192 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 7th day of ______, 2011 and that said resolution was adopted by the following vote, to-wit:

AYES:

Mayor Quintero, Mayor Pro-Tem Wallach, Councilman Gomez and

Councilwoman Ishigaki

NOES:

None

ABSENT: Councilwoman Macias

Lorene Gutierrez

City Clerk